IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.25469 of 2005

TUESDAY, THE TWENTY FOURTH DAY OF APRIL TWO THOUSAND AND SEVEN

Between:

Baazi Educational Society, rep. by its President
R. Srinivasa Reddy, S/o. R. Adinarayana Reddy,
Aged about 45 years, R/o. Peravalli Village,
Singanamala Mandal, Anantapur District.

… Petitioner

And

The Head Master, Zilla Parishad High School,
Peravalli Village, Singanamala Mandal,
Anantapur District, and others.

… Respondents

Order:

Petitioner, an educational society, has filed this Writ Petition seeking Mandamus to declare the action of the respondents in not taking steps in accordance with the orders issued by the District Educational Officer, Kadapa, in proceedings Rc.No.11793/B3/2002 dated 08-04-2003, as illegal and arbitrary.

2. Petitioner had made representation dated 27-01-2001 to the respondents bringing to their notice several difficulties faced by it. When no action was taken by the respondents, it had filed W.P.No.213 of 2002 before this court and the same was disposed of by order dated 04-01-2002 directing the respondents to dispose of the representation of the petitioner. Pursuant thereto, by proceedings dated 08-04-2003, while considering the representation of the petitioner-society as per the directions of this court in W.P.No.213 of 2002, the District Educational Officer addressed the Chief Executive Officer, Zilla Parishad, Anantapur, to depute a responsible officer to Zilla Parishad High School, Peravalli, and see that action is taken on the representation of the petitioner as much as the school was under the control of the Zilla Parishad.

3. Respondents have filed counter affidavit stating that as per the instructions contained in G.O.Ms.No.524 Education (Rules) Dept., dated 20-12-1998, permission to establish a new school or upgradation of existing school would be considered by the competent authorities specified therein, provided the educational agency which intends to establish a new school or upgradation of the existing school fulfills all the conditions stipulated in the G.O. It is stated that as per the said requirements, the educational agency shall provide the required land by registering it in the name of the school and it shall also give an undertaking that it is willing to run the school by appointing required number of teachers and to pay their salaries, till the posts are admitted to grant-in-aid.

4. Respondents have categorically stated in the counter affidavit that petitioner has not complied with the requirements as prescribed in G.O.Ms.No.524 Education (Rules) Dept., dated 20-12-1998. Merely

because the petitioner had made a representation to the respondents, no direction as sought for can be given in the absence of petitioner complying with the requisite conditions.

5. Hence, the Writ Petition is dismissed. However, it is open for the petitioner to submit proposals to the respondents as per the G.O. referred above. No costs.

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JUSTICE R. SUBHASH REDDY.

April 24, 2007
MRR